

Award No. 585

Docket No. 583

2-ACL-CM-'41

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 42, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (CARMEN)**

ATLANTIC COAST LINE RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES: That certain air-brake work now being performed by helpers is mechanics' work and should be performed by mechanics; specific claim, Car Repair Helper G. W. Brown, Sanford, Florida.

EMPLOYEES' STATEMENT OF FACTS: Car Repair Helper G. W. Brown at Sanford, Florida, and helpers at other points, namely Lakeland, Waycross, Florence and Rocky Mount, in the performance of their assignments as helpers are required to remove and apply triple valves, clean and grease air brake cylinders, clean and oil retainer valves and dirt collectors, operate the individual car testing device and also make repairs to brake pipe; while at Tampa, Jacksonville, High Springs and other points the work above described is performed entirely by mechanics or mechanics and apprentices. The practice of assigning helpers to this work is of more or less recent development, commencing at one or two points and gradually being extended to other points. For a number of years at most points on the Atlantic Coast Line Railroad all of the work was performed wholly by mechanics, or by a mechanic and a step-rate mechanic, or by a mechanic and an apprentice working together.

POSITION OF EMPLOYEES: That helpers being assigned to perform the work as outlined in the above statement of facts is a violation of Rule 29, carmen's special rules, section F, first paragraph. The paragraph in question reads as follows:

Carmen's work shall consist of building, maintaining, dismantling (except when being scrapped), and inspecting all passenger and freight cars, both wood and steel, planing mill in car department, and all other carpenter work in shop and yards coming under car department; carmen's work in building and repairing motor cars, lever cars, hand cars and station trucks (where done in mechanical department); building, repairing and removing and applying running boards on cars; pipe and inspection work in connection with air brake equipment on freight cars; applying patented metal roofing; repairing steam heat hose for locomotives and cars; operating punches and shears doing shaping and forming; hand forges and heating torches in connection with carmen's work, and nailing connected therewith; wrecking derrick engineers, write-up men, and all other work generally recognized as carmen's work. It is understood that the present practice in the performance of work between the carmen and boilermakers will continue.

FINDINGS: The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due notice of hearing thereon.

There is sufficient evidence in this docket to show that in certain instances carmen helpers were used to perform work in violation of the agreements (Rule 29 (f) effective December 1, 1935)—current agreement Rule 402.

AWARD

Carmen helpers will not be used to perform any operations in this class of work in violation of Rule 29 (f)—Rule 402 of the current agreement.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: J. L. Mindling
Secretary

Dated at Chicago, Illinois, this 13th day of March, 1941.